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**THE STATE OF NGOS IN ZIMBABWE:  
HONEYMOON OVER?**

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*"At Independence we laid down our advocacy ... and we have paid a heavy price."*  
*Paul Nyathi, director, Zimbabwe Project*

After independence, many of Zimbabwe's NGOs benefited from their close links with the government. Even now most would probably describe their relationship with the state as co-operative. It is still de rigeur, certainly, to invite a Cabinet Minister, MP or party functionary to open workshops, conferences, and meetings. Beyond the symbols, however, there is also the hard fact that the state remains the dominant player, encouraging a positive working relationship when it serves its purposes while obstructing any NGOs that are perceived to be problematic.

Not surprisingly, then, most NGOs have seen working co-operatively with the state as useful to achieving their goals and have remained loyal to the government, rather than criticizing it. Still, the fact remains that an increasing number of NGOs are becoming disillusioned with at least some members of the government. More generally, rising state intolerance of NGO criticism has recently driven some of them towards more active advocacy and lobbying, with many members describing themselves as feeling forced, increasingly, to take an oppositional stance.

Thus, a number of NGOs which, traditionally, had links with the liberation movements, such as the Zimbabwe Project, the Catholic Commission for Justice and Peace (CCJP), and the Zimbabwe Council of Churches (ZCC), have become increasingly critical of the ZANU (PF) government. For many, the reports of human rights atrocities committed in Matabeleland during the 1980s [see the accompanying story, in this issue, by Iden Wetherell] were the first sign of trouble. Growing signs of corruption, electoral violence, and intolerance moved other NGOs to take up such issues. Meanwhile, new NGOs, created to address the concerns of post-independence Zimbabwe - women's groups, housing and street children's issues, AIDs and human rights - often lacked a history of close links with the state and were, in consequence, that much more willing to take up a critical stance towards state shortcomings when it seemed necessary to do so.

Of course, most NGOs would agree that state-civil society relations have improved from the difficult days of the 1980s when the state, at war with dissidents in Matabeleland linked to opposition party ZAPU, saw any independent activity as a threat, especially in the Matabeleland and Midlands areas where ZAPU dominated. Yet tensions remain. The Central Intelligence Organization (CIO) monitors many NGOs, and so those working in politically sensitive areas are careful not to discuss confidential issues on the phone. Some NGOs report unexpected visits by CIO agents. In other cases, staff members of NGOs engaged in controversial activities report being followed by CIO agents, who then try to recruit them as informers. Even if the political atmosphere for NGOs was not overly threatening, such patterns certainly affected their work, particularly in rural areas.

## **The PVO act**

Then, in 1995, the tensions between the state and NGOs heightened with the introduction of the Private Voluntary Organizations (PVO) Act. This Act gave the Ministry of Public Service, Labour and Social Welfare the mandate to register and de-register NGOs, and to suspend executive committee members if it appeared to the Minister on information supplied to him that: (a) the organization no longer operated according to the objective specified in its constitution; or (b) the organization was being poorly administered, jeopardizing its activities; or (c) the organization was involved in illegal activities; or (d) it was necessary or desirable to do so in the public interest. Opponents of the Act argued that NGOs are responsible to their membership and donors, who can remove unsatisfactory leadership or cease funding, and criminal penalties for mismanagement, fraud and other illegal activities also can be applied. Therefore, they questioned why NGOs need "special protection" not required by private businesses or other professional organizations.

In addition, and despite government protestations to the contrary, most observers agree that there was little or no consultation over the PVO Act. The National Association of NGOs (NANGO), with a mandate to inform and mobilize NGOs, has been widely criticized for failing to tell members about the proposed act before it went before Parliament: apparently the only substantive criticism NANGO relayed to Social Welfare was that NGOs preferred the title "NGO Act." Nor was there any real discussion of the Act in Parliament, with only the responsible Minister speaking to the motion which brought in the act. Nor did the passage of the legislation bring much immediate reaction from NGOs - although many did say they were surprised by the act, and, as noted, blamed NANGO for failing to inform them.

## **The case of the AWG**

However, the possible negative implications of the Act for NGOs quickly became apparent. In November 1995, it was used for the first time to remove 12 members of the Executive Committee of the Association of Women's Clubs (AWC) from office. The Association of Women's Clubs has the distinction of being the oldest NGO founded by a black Zimbabwean woman, but otherwise is unremarkable. Begun in 1938 by Helen Mangwende to cultivate skills among grassroots rural women, it was revitalized after Independence. In 1994-5 the AWC was pledged ZWD\$11 million in donor funding to proceed with new programs including skills training and a revolving fund and loan facility to support small scale business activities. However, on 2 November 1995, a one-page Government Gazette announced the suspension of the Executive Committee, except for two members from the Mashonaland region.

Most AWC programs were stopped during the interregnum. The AWC lost credibility both in the rural areas where they work and in the donor community. The ousted women and their families also suffered from the allegations made against them, like Kate MacNeillage, who spoke of being ostracized from her church: "When I enter, they look at me like I am a thief. It is the responsibility of the [Zimbabwe Republic Police] to arrest thieves ... so why are they not arresting us?"

In 1996, the twelve filed a suit with the Supreme Court of Zimbabwe, contesting the constitutionality of the applicable section of the PVO Act. They alleged that the powers given to the Minister of Social Welfare were in conflict with the Zimbabwean constitution, which guaranteed freedom of association, freedom of expression and the right to a fair hearing. In a ruling handed down on 11 February 1997, the five judges unanimously found that the Act did indeed infringe on the right to a fair trial. In particular, the judges noted that the act empowered the Minister to act on the basis of information he received regardless of the source of that information, which could be hearsay or malicious. Under the Act, the Minister was not required to hold any sort of inquiry to establish the facts of the case, nor to reveal the reasons for his decision or actions. The court noted that although the Chairperson and officials of Social Welfare had met, no meeting, much less a fair

hearing, had been attended by all the women affected, and so they had no chance to defend themselves.

As a result of the decision, the women were at liberty to resume their roles and duties as members of the AWC executive, with their costs paid by the Department of Social Welfare. Rumours were widespread that there would be demonstrations against the court ruling by "ZANU (PF) women," and threats that the AWC women involved, and the members of the PVO Act campaign, would be beaten and harassed. The AWC executive which had been put in place by Social Welfare initially refused to leave the AWC offices, but eventually vacated after a Ministry directive. Because there were allegations that the interim committee sold assets of the AWC, the ousted executive determined not to resume office before an audit of the premises was held. Then they intended to hold new elections for the Executive and start afresh.

It is still not clear why the women were removed. AWC was by no means an oppositional or outspoken NGO. Rumours circulated around Harare about financial mismanagement and other administrative problems, but no charges ever were laid nor did the Ministry present any evidence during the Supreme Court case. One local newspaper story alleged that the women had been replaced by "loyal Women's League members" but Sekai Holland, the ousted Chairperson, suggested that it was a fight among ZANU(PF) cliques, since most AWC members are ZANU women. She suggested that the party's Women's League merely wanted control of the substantial donor funds the AWC was receiving!

The NGO community gave little support to the ousted women, until a group of NGO activists organized a workshop in response to the Act itself in June 1996. Several initiatives emerged from this workshop including action on land and the constitution, and, notably, the Campaign for the Repeal of the PVO Act.

### **NGO convention**

The NGO sector in Zimbabwe is notably disorganized and fragmented. The umbrella body, NANGO, no longer functions in any meaningful way, and had long lost credibility in the eyes of both donors and members. NANGO's failure to grapple with the PVO Act merely deepened its crisis. NANGO's problems were exposed to public scrutiny in mid-1996, after five members of the Northern Region committee (including Harare) resigned citing a lack of transparency. All five were prominent members of the NGO community and two also played important roles on NANGO's National Executive. The resignations and subsequent dismissal of the executive director - who was criticized for personalizing the organization and indulging in extensive foreign travel - were but indicators of deeper problems within NANGO. Donors also complained that NANGO lacked transparency and was using project funds for administrative purposes. NANGO also faced a crippling deficit of ZWD\$2 million, owed substantial back pay to staff, and was in need of new premises for its head office.

There were signs of possible resolution of some of these problems at a national NGO convention in April, 1997, that brought together 200 NGOs to discuss NANGO's state of affairs and determine a way forward. However, even this convention was planned without a great deal of consultation, and some of the most active NGOs remained dubious that the convention could initiate change. Many Harare-based activists had already tried in vain to reform NANGO, and were unwilling to invest more time on the problem. In the end, several initiatives to resolve the deficit and staffing crises were mooted, but few decisions taken. Despite considerable good will as regards possible continued co-operation and self-sustainability, it still seemed that the obstacles to resurrecting NANGO might prove to be beyond the capacity of those willing to work within its structure.

## **Campaigns and coalitions**

In contrast, the liveliest forums of critical analysis and action within the NGO sector at the moment are the numerous small, ad-hoc coalitions campaigning around particular issues. Thus, in 1996 the Movement for Constitutional Equality managed to change a gender-biased constitutional amendment proposal, by which foreign wives of Zimbabwean men automatically became eligible for citizenship while foreign husbands of Zimbabwean women still had to meet strict immigration criteria. The resulting gender neutral amendment granted automatic citizenship neither to wives nor to husbands; not an optimal outcome, but preferable to the original proposal.

The Working Group on Gender Politics, a group of feminists and women's leaders co-ordinated by the Zimbabwe Women's Resource Centre and Network, met regularly with female Parliamentarians, and managed to delay the second reading of the long-awaited Inheritance Bill, so that Parliamentarians could consider materials collected from Zimbabwean women.

The Lobby and Advocacy Group (LAG), a coalition of about 50 NGOs co-ordinated by the Ecumenical Support Services (ESS), evolved out of meetings with the World Bank and IMF in 1995, when NGOs realized they needed to prepare for such meetings and develop a coherent position, rather than trying to influence the process individually. LAG has initiated a letter-writing campaign requesting a consultation on the second phase of economic reforms, attempted to bring Ministry of Finance officials and NGOs together for dialogue, and is in the process of approaching Parliamentarians to attend a joint Parliamentarian-NGO workshop. LAG has also just launched an electronic conference to discuss lobbying and advocacy.

Most importantly, perhaps, the previously-mentioned Campaign for the Repeal of the PVO Act has developed into a mature group of activists who meet weekly to plan their strategy. The Campaign has collected over 5000 signatures on a petition calling for the repeal of the Act, which it intends to present to the Minister of Social Welfare if she agrees to meet with them. The Campaign has informed local and international NGOs about the Act, holding a series of public meetings and preparing materials for NGOs. Now that the Department of Social Welfare has acknowledged the need to revise the Act, the Campaign hopes to co-ordinate a consultation process to draft new legislation.

## **Civil society?**

If "civil society" is truly the hope for democracy in countries like Zimbabwe, then these low-cost initiatives, often without budgets, offices of their own, or full-time staff, seem to be the most likely purveyors. Yet even here personalities and politics interfere. The PVO Act Campaign, in particular, has been accused of being "too political" and of dividing the NGO community by being too critical of NANGO. One attempt to resolve these problems was a proposal that the NGOs reorganize themselves sectorally, with a national umbrella body to co-ordinate matters between these issue-oriented sectors. Notwithstanding some difficulties with this organizing structure, it seems promising.

Even more promising is the fact that the NGO community does seem to be developing advocacy skills which were not apparent even a few years ago. Despite the experience with structural adjustment in other African states, when Zimbabwe first brought in their 1991 adjustment package (ESAP), there was little practical involvement by NGOs or other sectors of civil society. Now, as the second phase of reforms is being introduced, NGOs are actively engaged in public consultation and trying to engage the government in a dialogue. True, most of this latter effort has been in vain. Nonetheless, such NGOs have at least begun to provide Zimbabweans with alternative ideas and initiatives, thus complementing the efforts of the weak but growing political opposition movement (which, however, recently scored victories municipally), and of the independent press [although for

some of the press' ambiguities in this regard see the accompanying article by Richard Saunders].

It remains to be seen what lessons activists in the Zimbabwean NGO sector will draw from these recent experiences in order to advance further struggles. It will be a story worth following. Perhaps, too, there also be lessons to be learned from this story by South African activists, who are, after all, going through a similar transition from opposing an illegitimate government to forging a new relationship with old allies.